

REMARKS

Applicants respectfully request reconsideration of this application as amended.

Regarding Paragraph III of the Office Action, Applicants respectfully direct to the Examiner the accompanying requests for consideration of Information Disclosure Statements.

In relation to the objection to the drawings, Applicants respectfully submit that since Figs. 2, 3 and 4 include some portions of the present invention, it is not appropriate to label these figures as "Prior Art." Accordingly, withdrawal of the objection to the drawings is respectfully requested.

In relation to the claim objections, and the rejections under 35 U.S.C. § 101, Applicants have amended the subject claims to address the Examiners concerns. It is believed the objected to claims, and claims rejected under 35 U.S.C. § 101, are in compliance with all applicable rules and regulations.

Regarding the objection to claims 9 and 18-20 in Paragraphs VII and VIII of the Office Action, Applicants believe these claims are in compliance with 35 U.S.C. §112 and are in the proper sequence. Should the Examiner believe these claims are still objectionable, the Examiner is specifically requested to further clarify the nature of the objection.

Independent Claim 1 has been amended to recite the means for recording a distribution log at the time of execution of the distributing means, wherein the distribution log is correlated with the content portion indicator and the advertisement portion indicator and means for outputting information showing which content portion of the content portions which are combined with the advertisement portion is affective for the advertisement by comparing number of distribution or combinations of the content portions and the advertisement portion.

Holtz, which is used as the basis of the rejection under 35 U.S.C. § 102(e) discloses a method, system and computer program product for producing and distributing enhanced media downstreams. In particular, immediate production is categorized and indexed for retrieval and distribution across a wired or wireless network, such as the internet, to any client, such as a personal computer, television or personal digital assistant. A user can operate the client to display and interact with the media products, or select various options to customize the transmission or request a standard program.

While Holtz does discuss a centralized advertising management and distribution server that manages a plurality of ad servers, Holtz at least fails to teach, suggest or disclose that a distribution log is correlated with the content portion indicator and the advertisement portion indicator and outputting the information showing which content portion of the content portions which are combined with the advertisement portion is effective for the advertisement by comparing the number of distribution for combinations of the content portions in the advertisement portion.

In that comparable arguments can be made for claims 2, 4, 5 and 6, Applicants believe these claims are patentably distinguishable from Holtz.

Similar arguments can be made for Claim 8 that recites, *inter alia*, wherein the distribution log is correlated with a content portion indicator and the advertisement portion indicator, Claim 10 that recites, *inter alia*, wherein the content indicator is correlated with the content portion indicator and the advertisement indicator, Claim 11 that recites, *inter alia*, wherein the content is correlated with a content portion indicator that indicates the content portion and an advertisement portion indicator that indicates the advertisement portion; and Claim 12 that recites, *inter alia*, wherein the distribution log is correlated with a content portion

indicator that indicates the content portion and an advertisement portion indicator that indicates the advertisement portion, Claim 13 that recites developing a content together with advertisement function comprising developing the content by incorporating an advertisement image for a product or a service into the promotional image, and Claim 14 that recites, *inter alia*, wherein the content comprises a promotional image for an artist and an advertisement image for a product or service incorporated into the promotional image.

The dependant claims are further patentably distinguishable from the cited reference for at least the above reasons and the additional feature(s) recited therein.

With all outstanding objections and rejections having overcome, Applicants respectfully submit that all claims are in condition for allowance.

In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned. The Commissioner is hereby authorized to charge to Deposit Account No. 19-1970 (5553KO1-1) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby Petitioned.

Respectfully submitted,

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Date: 17 Jan '88

By: _____

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